

EXHIBIT 21

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

STUDENTS FOR FAIR ADMISSIONS, INC.,
Plaintiff,

vs.

Case No.
1:14-cv-14176-ADB

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE (HARVARD CORPORATION),
Defendant.

DEPOSITION OF [REDACTED]
Palo Alto, California
Thursday, July 20, 2017

Reported By:

TAVIA A. MANNING

CSR No. 13294, RPR, CLR, CCRR

1 forgot.

2 Q. Have you heard of the name "Abigail Fisher"?

3 A. That sounds familiar.

4 Q. Why do you think that sounds familiar?

5 MR. PARK: Objection.

6 THE WITNESS: I feel like I remember it
7 starting with A, her first name. But, yeah, something
8 starting with A. So I guess "Abigail" is a possibility.
9 I am not entirely sure.

10 BY MS. TSAI:

11 Q. Do you have an understanding of when SFFA was
12 first formed by Mr. Blum?

13 MR. PARK: Objection.

14 THE WITNESS: No, I don't know when exactly.

15 BY MS. TSAI:

16 Q. Do you know -- do you have an idea generally of
17 when it was formed?

18 MR. PARK: Objection.

19 THE WITNESS: Not too sure.

20 BY MS. TSAI:

21 Q. Do you know if your parents are members of
22 SFFA?

23 A. Not sure.

24 Q. Do you know if you've -- if you have ever met
25 any other members of SFFA?

1 MR. PARK: Objection.

2 THE WITNESS: Not that I know of. Not that I
3 can remember.

4 BY MS. TSAI:

5 Q. You can't remember meeting any other members of
6 SFFA?

7 A. Yeah.

8 Q. Have you heard of the Project on Fair
9 Representation?

10 A. That sounds familiar to me, but I am not sure
11 if...

12 Q. Why does it sound familiar to you?

13 A. I feel like it's a name that I have heard or
14 read online somewhere.

15 Q. Do you know if the Project on Fair
16 Representation has any affiliation with SFFA?

17 A. I don't know.

18 Q. Do you know what SFFA's governing structure is?

19 MR. PARK: Objection.

20 THE WITNESS: No.

21 BY MS. TSAI:

22 Q. Do you know if SFFA has officers?

23 MR. PARK: Objection.

24 THE WITNESS: Not sure.

25 //

1 A. It was called the [REDACTED] Seminar, something
2 like that. So every week we would have a different
3 professor come in and present his or her research. And
4 then towards the end we would also have some time to
5 prepare for our own research proposal, which we
6 presented at the end of the semester to the rest of the
7 class.

8 Q. And around how many other students in your
9 class are in the Scholars Program?

10 A. Including myself, there are 20.

11 Q. That's a pretty select group.

12 And you've completed your freshman year so far
13 at [REDACTED] is that right?

14 A. Yes.

15 Q. What were the classes that you took in your
16 first year at [REDACTED]?

17 A. I can just list them all out. So I had that
18 [REDACTED] Seminar class, [REDACTED] Research Seminar.
19 First semester I took data structures in Java, calculus
20 III, university writing. I think, physics. I think it
21 was called like "Introduction to Mechanics," and then
22 general chemistry.

23 Is that six?

24 Q. Yes.

25 A. Okay, yeah.

1 Q. Have you thought about any schools you might
2 consider applying to if you ultimately decide to apply
3 to transfer?

4 A. Yeah. I was thinking about Harvard, Stanford,
5 and MIT.

6 Q. Have you looked into MIT's eligibility
7 requirements for applying to transfer?

8 A. I believe so.

9 Q. Have you looked into Stanford's eligibility
10 requirements for applying to transfer?

11 A. I believe so.

12 Q. And have you looked into Harvard's eligibility
13 requirements for applying to transfer?

14 A. Not that I can remember.

15 Q. And you testified earlier that you're in this
16 [REDACTED] Scholars Program; correct?

17 A. Yes.

18 Q. Do you believe that you would receive similar
19 benefits that you receive as an [REDACTED] scholar if you
20 transferred to another school?

21 A. No. I believe I would lose those benefits.

22 Q. Do you know if Harvard has a program similar to
23 the [REDACTED] Scholars program?

24 A. No, not that I am aware of.

25 Q. Do you know the latest you could apply to

1 transfer to another institution?

2 A. I believe it would be this year -- this year.
3 So, like, in the spring of this year -- of this academic
4 year, sorry.

5 Q. So knowing that -- understanding that the
6 spring of this upcoming academic year would be the
7 latest you could apply to transfer, will the thought of
8 deciding whether or not to transfer be a priority in
9 your mind as you head into the school year?

10 MR. PARK: Objection.

11 THE WITNESS: No. I think it's something I
12 would consider after probably towards the end of first
13 semester, if not afterward.

14 BY MS. TSAI:

15 Q. What do you think would help you decide to --
16 whether or not you wanted to transfer?

17 A. I believe it would be offers for internships
18 that would be a deciding factor.

19 Q. And do you mean offers from internships from
20 Columbia?

21 A. No, from like outside companies, corporations.

22 Q. Why would that affect whether or not you would
23 decide whether to apply to transfer?

24 A. Because I feel that if I get an internship from
25 a company that I would like to work at further down the

1 point after they started adding members.

2 BY MS. TSAI:

3 Q. And do you recall any other changes that SFFA
4 made regarding its members, aside from adding the
5 membership fee without -- before you read this document?

6 A. No, I don't know of any.

7 Q. It also says members also have the right to
8 elect one of SFFA's directors at its annual meeting.

9 Were you aware of a right to elect one of
10 SFFA's directors at its annual meeting?

11 MR. PARK: Objection.

12 I am just going to instruct the witness not to
13 answer.

14 And I think this line of questions is the same
15 as the one I instructed the witness not to answer
16 before. And I think just because you've put a document
17 in front of him doesn't change our basis for the
18 instruction.

19 He doesn't recognize this document. He said he
20 hadn't seen it before, so having him read through these
21 things and asking him about it is just as inappropriate
22 as asking questions about SFFA's governance in the first
23 place.

24 MS. TSAI: Well, Harvard disagrees. This is a
25 document that SFFA prepared and attested to in this

1 litigation, and I think we're entitled to ask about
2 members' rights. I know that you and I disagree on
3 this, so we'll just state that for the record.

4 BY MS. TSAI:

5 Q. Are you taking your counsel's instruction not
6 to answer?

7 A. Yes.

8 Q. You can turn away from this document.

9 Are you aware of any conference calls that SFFA
10 has convened among its members?

11 A. I am not aware.

12 Q. Before reading this document today, were you
13 aware that SFFA had a Board of Directors?

14 MR. PARK: Objection.

15 THE WITNESS: I was not aware.

16 MS. TSAI: Okay.

17 (Deposition Exhibit Number 4 was marked for
18 identification.)

19 BY MS. TSAI:

20 Q. [REDACTED], I have handed you what's been Bates
21 stamped SFFA-Harvard 1989 to 1991.

22 Have you seen this document before?

23 A. I do not remember seeing this document.

24 Q. Okay. That's fine.

25 We can turn away from it.

1 I, the undersigned, a Certified Shorthand
2 Reporter of the State of California, do hereby certify:

3 That the foregoing proceedings were taken
4 before me at the time and place herein set forth; that
5 any witnesses in the foregoing proceedings, prior to
6 testifying, were placed under oath; that a verbatim
7 record of the proceedings was made by me using machine
8 shorthand which was thereafter transcribed under my
9 direction; that the foregoing transcript is a true
10 record of the testimony given.

11 Further, that if the foregoing pertains to the
12 original transcript of a deposition in a Federal Case,
13 before completion of the proceedings, review of the
14 transcript [] was [X] was not requested.

15 I further certify I am neither financially
16 interested in the action nor a relative or employee of
17 any attorney of any of the party to this action.

18 IN WITNESS WHEREOF, I have this date
19 subscribed my name.

20
21 Dated: August 1, 2017

22 
23

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